# AGENDA CONNECTICUT MEDICAL EXAMINING BOARD Tuesday, January 19, 2021 at 1:30 PM

# Department of Public Health 410 Capitol Avenue, Hartford Connecticut

#### **CALL TO ORDER**

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November 17, 2020

#### II. OPEN FORUM

#### III. UPDATES

- A. Chair Updates
- B. DPH Updates

#### IV. NEW BUSINESS

- A. Review of License Reinstatement Application

  Presented by Celeste Dowdell, License and Applications Analyst
  - Kenneth Kaplove, MD

#### V. OFFICE OF LEGAL COMPLIANCE

- A. Thomas Knutson, M.D. Petition No. 2019-1297
  - Presentation of Consent Order Modification Presented by Brittany Petano, Staff Attorney, DPH
- B. Matthew Rogalski, M.D. Petition No. 2020-137

  Presentation of Consent Order Modification Presented by Brittany Petano, Staff Attorney, DPH

#### <u>ADJOURN</u>

This meeting will be held by video conference at the following link

## **Connecticut Medical Examining Board via Microsoft Teams**

Join on your computer or mobile app

Click here to join the meeting

Or call in (audio only)

+1 860-840-2075 - Phone Conference ID: 434 216 884#

The following minutes are draft minutes which are subject to revision and which have not yet been adopted by the Board.

# CONNECTICUT MEDICAL EXAMINING BOARD MINUTES of November 17, 2020

The Connecticut Medical Examining Board held a meeting on Tuesday, November 17, 2020 by video conference.

**BOARD MEMBERS PRESENT**: Kathryn Emmett, Esq., Chairperson

Raymond Andrews, Jr., Esq.

Allyson Duffy, MD Marie C. Eugene, DO Michele Jacklin Marilyn Katz, MD

Shawn London, MD

William C. Kohlhepp, DHSc, PA-C

Edward McAnaney, Esq. Brimal Patel, MD Jean Rexford Daniel Rissi, MD Harold Sauer, MD

David Schwindt. MD C. Steven Wolf, MD Andrew Yuan, DO

BOARD MEMBERS ABSENT: Robert Green, MD

Ms. Emmett called the meeting to order at 1:31 p.m.

#### I. MINUTES

The draft minutes of the September 15, 2020 meeting were reviewed. Mr. Andrews made a motion, seconded by Dr. Sauer to approve the minutes. The motion passed with all in favor except Dr. Katz, Dr. London and Dr. Patel who abstained.

#### II. OPEN FORUM

None

#### III. UPDATES

A. Chair Updates

None

B. Department of Public Health

None

#### IV. <u>NEW BUSINESS</u>

A. Onikepe Adegbola, MD – Review of License Reinstatement Application

Celeste Dowdell, License and Applications Analyst, Department of Public Health presented a license reinstatement application for Onikepe Adegbola, MD. This matter was tabled at the September 15, 2020 meeting so that more information could be obtained.

Dr. Patel made a motion, seconded by Dr. Sauer, to recommend license reinstatement provided that Dr. Adegbola does not resume clinical practice. The motion passed.

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#### V. OFFICE OF LEGAL COMPLIANCE

#### A. Roozbeh Badii, M.D.- Petition No. 2016-1045

Assistant Attorney General Kerry Colson was present for this matter. Staff Attorney David Tilles, Department of Public Health, presented a Motion for Summary Suspension. Respondent was present but was not represented by counsel.

Attorney Tilles provided information in support of the Motion for Summary Suspension. Dr. Badii addressed the Board to object to the motion for Summary Suspension.

Dr. Zeman made a motion, seconded by Ms. Rexford, to grant the motion for Summary Suspension because respondent's continued practice of medicine represents a clear and immediate danger to public health and safety. The motion passed unanimously.

The hearing panelists in this matter will be Dr. Zeman, Ms. Rexford and Dr. Green. The hearing will be scheduled for a date after December 15, 2020.

#### B. <u>Fawad Hameedi, M.D. - Petition No. 2017-869</u>

Staff Attorney David Tilles, Department of Public Health, presented a Consent Order in this matter. Dr. Wolf. made a motion, seconded by Dr, Sauer, to approve the Consent Order which imposes a reprimand and probation for a period of two years. The motion passed with all in favor except Ms. Emmett who recused herself in this matter.

#### VI. ADJOURNMENT

As there was no further business, the meeting was adjourned at 2:15 p.m.

Respectfully submitted, Kathryn Emmett, Esq., Chairperson TO:

Connecticut Medical Examining Board

FROM:

Celeste Dowdell

**Licensing Applications Analyst** 

Practitioner Licensing and Investigations Section

RE:

Kenneth Kaplove, MD

Dr. Kaplove is an applicant for Connecticut physician licensure reinstatement. Dr. Kaplove meets all requirements for reinstatement except he has been out of active practice since 2018.

Applicants who have been out of active clinical practice longer than six (6) months are reviewed by the Connecticut Medical Examining Board. The CMEB could require applicants who have been out of active clinical practice for longer than two years to complete the Federation of State Medical Board's Special Purpose Examination (SPEX).

Please accept this as a summary of the documentation submitted in support of Dr. Kaplove's application.

Medical Education: Hahnemann Medical College- 1979

United states Medical Licensing Examination: Parts 1-3 completed and passed

#### **Post Graduate Training Completed:**

07/01/79-06/30/80: Crozer-Chester Medical Center, PA- Internal Medicine Intern

07/01/80-06/30/82: St. Vincent's Hospital, NY- Neurology Resident

07/01/82-06/30/83: University Hospital Cleveland, OH- Neurology Resident

07/01/83-06/30/86: MT. Sinai Medical Center, NY- Neurobiology Fellowship

07/01/86-06/30/87: Down State Medical Center, NY- Neuromuscular Neurology Fellowship

Dr. Kaplove holds no other state licenses.

Activities since License expired: Applicant statement included

December 14, 2020

Dear Ms. Dowdell,

Since 2018 I have been doing a number of things. I have been attending neurology department morbidity and mortality conferences and grand rounds at Yale. I have attended a few courses at Yale and Quinnipiac schools of medicine. I haven't been documenting all of these since I didn't anticipate I'd need to use them, since I didn't have a license. I assisted in a one hour course at Quinnipiac on dementia. I have been writing and researching a book about neurologic pathways for trust in the brain.

I need a medical license to apply for administrative positions with Kaiser Permanente and possibly other organizations. I do not anticipate actually practicing medicine or neurology in a clinical setting.

I wanted also to check with you if all of my other credentialing materials are in order, or whether I needed any additional items to submit.

Thank you.

Kenneth A. Kaplove, MD



Kenneth A. Kaplove, MD

AAN ID # 004817

5 Quail Ridge Farmington, CT 06032 United States

#### **AAN ACTIVITIES**

The American Academy of Neurology (AAN) acknowledges that the above-named person has completed the educational activities indicated below.

AMA PRA Category 1 Credits TM

	<b>Product</b> Fall Conference On Demand 2020	Title of Activity C18: Neurology Update 5: Multiple Sclerosis (FC2020)	<b>CME</b> 0.50
12/10/2020	Fall Conference On Demand 2020	C1: Keynote Address: COVID-19 (FC2020)	0.50
12/10/2020	Fall Conference On Demand 2020	C20: Curbside Consults: Neuroimaging (FC2020)	0.50
12/10/2020	Fall Conference On Demand 2020	C22: Neurology Update 6: Movement Disorders (FC2020)	0.50
12/10/2020	Fall Conference On Demand 2020	C24: Neurology Update 7: Stroke (FC2020)	0.50
11/6/2020	Regional Conference	C2 - Neurology Update 1: Epilepsy	0.50
11/6/2020	Regional Conference	C4 - Neurology Update 2: Headache	0.50
11/6/2020	Regional Conference	C6 - Neurology Update 3: Neuro-ophthalmology	0.50
11/6/2020	Regional Conference	C8 - Curbside Consults: Neuro-oncology	0.50
11/6/2020	Regional Conference	N1 - Neuroscience in the Clinic: Genetic Testing for Common Neurodegenerative Disorders	0.75

**Total: 5.25** 

# Self-Assessment (SA) AMA PRA Category 1 Credits TM

<i>Date</i> 12/13/202	<b>Product</b> 0 Continuum	Title of Activity Continuum Postreading Test 26(3) June 2020 (Neurology of Systemic Disease)	<i>CME</i> 20.00
11/6/2020	Regional Conference	C12 - Continuum Test Your Knowledge: A Multiple-choice Question Review 1: Neuromuscular Disorders	0.50

11/6/2020 Regional Conference

C15 - Continuum Test Your Knowledge 2: A Multiple-choice Question Review: Autoimmune Neurology

0.50

Total: 21.00

### Performance-in-Practice (PIP)

No results

**Total AAN CME Credits:** 

26.25

- \*= credits earned from this activity fulfill the ABPN PIP clinical requirement
- \*\*=credits earned from this activity fulfill the ABPN Patient Safety self-assessment requirement

The AAN is accredited by the Accreditation Council for Continuing Medical Education (ACCME) to sponsor continuing medical education for physicians. The American Academy of Neurology designates the educational activities listed above for the indicated AMA PRA Category 1 Credits. Physicians should only claim credit commensurate with the extent of their participation in the activity.

Continuum and Continuum Audio is an Accredited Self-Assessment Program (Section 3) as defined by the Continuing Certification Program of the Royal College of Physicians and Surgeons of Canada, and approved by the Office of Continuing Medical Education and Professional Development, University of Calgary. For Continuum, Canadian participants can claim a maximum of 20 hours (credits are automatically calculated) for 2018 issues and a maximum of 14 hours for issues from April 2017 to December 2017. Issues from April 2017 going forward are approved by the RCPSC; participants cannot claim credit for issues prior to April 2017. For Continuum Audio, interviews from June 2018 going forward are approved by the RCPSC; participants cannot claim credit for interviews prior to June 2018. Canadian participants should visit MAINPORT (www.mainport.org) to record learning and outcomes.

NeuroSAE is an Accredited Self-Assessment Program (Section 3) as defined by the Continuing Certification Program of the Royal College of Physicians and Surgeons of Canada, and approved by the Office of Continuing Medical Education and Professional Development, University of Calgary Office of Continuing Medical Education and Professional Development. Program accreditation expires 07/2020. Remember to visit MAINPORT (www.mainport.org) to record learning and outcomes. Canadian participants may claim a maximum of 8 hours (credits are automatically calculated).

NeuroSAE Annual Meeting edition is an Accredited Self-Assessment Program (Section 3) as defined by the Continuing Certification Program of the Royal College of Physicians and Surgeons of Canada, and approved by the Office of Continuing Medical Education and Professional Development, University of Calgary Office of Continuing Medical Education and Professional Development. Program accreditation expires 07/2020. Remember to visit MAINPORT (www.mainport.org) to record learning and outcomes. Canadian participants may claim a maximum of 10 hours (credits are automatically calculated).

Please direct any questions regarding this report to AAN Member Services at <u>memberservices@aan.com</u> or phone (800) 879-1960 (toll free) or (612) 928-6000 (international)

Sincerely

Christine E. Phelps

Deputy Executive Director

Christin &. Pheles

American Academy of Neurology Institute

### **CURRICULUM VITAE**

# Kenneth A. Kaplove, M.D.

DOB: 3-27-52 5 Quail Ridge, Farmington, CT 06032 kennethkaplove@comcast.net

(203) 232-6120

#### **WORK HISTORY:**

1995-Dec 31, 2018: Neurology private practice: Middlebury, CT, covering Waterbury Hospital, Waterbury, CT and St. Mary's Hospital, Waterbury CT.

2013-2018: Chief of Neurology, Waterbury Hospital, CT.

2016-Dec 31 2018: Outpatient neurology clinic Charlotte Hungerford Hospital, CT.

2017-Dec 31, 2018: Outpatient neurology clinic through Hartford Healthcare, Midstate Medical Center, Meriden, CT.

1989-1994: Electromyography and Outpatient Neurology Consults, Waterbury, CT.

1987-1989: Neurology, Group Private Practice, Hartford, CT, covering St. Francis Hospital.

1975: Research technician, Columbia University School of Medicine.

1974: Research technician, University of Pennsylvania School of Medicine.

#### **EDUCATION:**

1975-1979: Hahnemann Medical College, MD.

1970-1974: University of Pennsylvania, BA, cum laude, Religious Thought.

#### **TRAINING:**

06/1986-06/1987: Neuromuscular Fellow, Downstate Medical Center,

Brooklyn, NY.

06/1983-06/1986: Neurobiology Fellow, Mt. Sinai Medical Center, NY, NY.

06/1982-06/1983: Neurology Chief Resident, University Hospitals of Cleveland, Cleveland, OH.

06/1980-06/1982: Neurology Resident, St. Vincent's Hospital, NY, NY.

06/1979-06/1980: Intern Internal Medicine, Crozier Chester Medical

Center, Chester, PA.

#### **APPOINTMENTS:**

2014-Present: Clinical Instructor of Neurology (voluntary). Yale University School of Medicine.

2004-2014: Assistant Clinical Professor of Medicine (voluntary). Yale University School of Medicine.

1997-2004: Clinical Instructor of Medicine (voluntary), Yale University School of Medicine.

2015-2019: Assistant Clinical Professor of Medicine (voluntary), Quinnipiac School of Medicine.

#### **HONORS:**

1998: Teacher of the Year, Yale Medical Residency, Waterbury CT. 2008-2017: Top Doc, Connecticut Magazine.

#### **BOARD OF CERTIFICATION:**

1987: Neurology.

1989: Electromyography.

#### **PUBLICATIONS:**

Harlan RE, Shivers BD, Fox SR, Kaplove KA, Schachter BS and Pfaff DW. Distribution and partial characterization of immunoreactive prolactin in the rat brain. Neuroendocrinology 1989; 49: p. 7-22.

Kaplove, KA, Reanalysis: Impulse Activity and Fiber Type Transformation, Muscle & Nerve, 1987; 10: p. 375.



Office of the President Steven E. Schneider, M.D., M.B.A.

December 8, 2020

#### To Whom it May Concern:

I am writing in support of Dr. Kenneth Kaplove's application for a position in your institution. I have known Dr. Kaplove for over 25 years. I worked with him first in my capacity as Chair of Psychiatry at Waterbury Hospital for several years, then for 17 years while I was Chief Medical Officer, then next at Saint Mary's Hospital in Waterbury first while I was Chief Medical Officer and more recently as President of Saint Mary's. During much of that time Dr. Kaplove was an actively practicing clinical neurologist at both of those hospitals and he also served for several years a Chief of Neurology at each hospital.

Dr. Kaplove is an outstanding neurologist and a person who was respected by our entire medical staff. He was a key part of both hospitals' Medical Residency teaching programs as a faculty member. The depth, extent and contemporary knowledge of neurology was truly excellent, particularly for someone who was so busy as a clinician and teacher. I believe he would make outstanding contributions at any institution and he would show the adaptability to accommodate to changing needs and conditions as he has in Waterbury for many years.

To summarize, Ken Kaplove has my full and unconditional endorsement as a teaching and clinical neurologist and also as someone who has totally kept up with current trends in medicine overall and neurology in particular.

Sincerely,

Steven E. Schneider, M.D., M.B.A.

President

# CONNECTICUT MEDICAL EXAMINING BOARD CONSENT ORDER COVER SHEET

Re: Thomas Knutson, M.D. Petition No.: 2019-1297

#### **BIOGRAPHICAL INFORMATION:**

Medical School: St. George's University School of Medicine (Grenada)

Year of Graduation: 2008

06/01/2011-09/01/2015	Psychiatry	Resident	UMKC School of Medicine (Kansas
			City, MO)
07/01/2011-07/01/2012	Psychiatry	Intern	Truman Medical Center – Behavioral
			Medicine (Kansas City, MO)
07/01/2012-09/01/2013	Psychiatry	Resident	Truman Medical Center – Hospital
			Hill (Kansas City, MO)
11/01/2013-11/01/2015	Psychiatry	Resident	Truman Behavioral Outpatient
			Healing Canvas Clinic (Kansas City,
			MO)

Current Employment: Merit Health Biloxi – Mississippi

License: 055680 Issued: 8/31/2016

Type of Practice: Psychiatry

Malpractice History: None known to Department

Past History with DPH: None

Other State License: AZ (53686); KS (04-38731); MS (25255); MO (2015031253); NE (30923);

NY (292173); PA (MD459870) Investigation Commenced: 12/4/2019

#### **CONSENT ORDER:**

- Reprimand
- 6 month probation with coursework (24 hours of CMEs)

#### **DEPARTMENT SUMMARY OF THE CASE:**

- The Department received information that respondent's the Arizona Medical Board issued a Consent Order that included a reprimand, and a 6 month probation that required respondent to complete the Professional/Problem-Based Ethics program ("ProBE"). The Consent Order was based on findings that respondent documented that he had personally evaluated a patient when he had not. A copy of the Consent Order is enclosed.
- Respondent successfully completed the ProBE program and his probation under the Arizona Consent Order has been terminated effective April 7, 2020.

#### WILL THIS RESULT IN A REPORT TO THE N.P.D.B.?

Yes.

STATE OF CONNECTICUT DEPARTMENT OF PUBLIC HEALTH HEALTHCARE QUALITY AND SAFETY BRANCH

In re: Thomas Knutson, M.D.

Petition No. 2019-1297

#### **CONSENT ORDER**

WHEREAS, Thomas Knutson of Keene, NH (hereinafter "respondent") has been issued license number 055680 to practice as a physician and surgeon by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 370 of the General Statutes of Connecticut, as amended; and,

#### WHEREAS, the Department alleges:

- On or about November 8, 2019, the Arizona Medical Board issued a Consent Order in case 1. number MD-18-0728A. As a result, respondent's Arizona physician license was reprimanded and placed on probation for six (6) months. Said probation required respondent to complete the Professional/Problem-Based Ethics program ("ProBE") and shall terminate upon proof of respondent receiving a passing grade.
- 2. The Arizona Consent Order was premised on findings that respondent documented that he personally evaluated a patient when he did not.
- 3. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §§19a-17(f) and/or 20-13c(4):

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above allegations of wrongdoing but, while admitting no guilt or wrongdoing, agrees that for

purposes of this or any future proceedings before the Connecticut Medical Examining Board (hereinafter "the Board"), this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §§19a-10, 19a-14 and 20-13c of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, 19a-17 and 20-13c of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

- 1. Respondent waives his right to a hearing on the merits of this matter.
- Respondent's license number 055680 to practice as a physician and surgeon in the State of Connecticut is hereby reprimanded.
- 3. Respondent's license shall be placed on probation for six (6) months under the following terms and conditions:
  - a. Within the first six (6) months of the probationary period, respondent shall attend and successfully complete twenty-four (24) hours of continuing medical education, pre-approved by the Department. Within fifteen (15) days of the completion of such coursework, respondent shall provide the Department with proof, to the Department's satisfaction, of the successful completion of such coursework. Said probation shall terminate upon the Department's satisfaction of the successful completion of the successful
- 4. All correspondence and reports are to be addressed to:

Lavita Sookram, R.N., Nurse Consultant
Practitioner Compliance and Monitoring Unit
Department of Public Health
410 Capitol Avenue, MS #12HSR
P.O. Box 340308
Hartford, CT 06134-0308

- 5. All reports required by the terms of this Consent Order shall be due according to a schedule to be established by the Department of Public Health.
- 6. Respondent shall comply with all state and federal statutes and regulations applicable to his licensure.
- 7. Respondent shall pay all costs necessary to comply with this Consent Order.
- 8. Any alleged violation of any provision of this Consent Order may result in the following procedures at the discretion of the Department:
  - a. The Department shall notify respondent in writing by first-class mail that the term(s) of this Consent Order have been violated, provided that no prior written consent for deviation from said term(s) has been granted.
  - Said notification shall include the acts or omission(s) which violate the term(s) of this
     Consent Order.
  - c. Respondent shall be allowed fifteen (15) days from the date of the mailing of notification required in paragraph 9a above to demonstrate to the satisfaction of the Department that he has complied with the terms of this Consent Order or, in the alternative, that he has cured the violation in question.
  - d. If respondent does not demonstrate compliance or cure the violation within the fifteen
     (15) days specified in the notification of violation to the satisfaction of the
     Department, he shall be entitled to a hearing before the Board which shall make a
     final determination of the disciplinary action to be taken.
  - e. Evidence presented to the Board by either the Department or respondent in any such hearing shall be limited to the alleged violation(s) of the term(s) of this Consent Order.

- 9. In the event respondent does not practice medicine for periods of thirty (30) consecutive days or longer, respondent shall notify the Department in writing. Such periods of times shall not be counted in reducing the probationary period covered by this Consent Order and such terms shall be held in abeyance. During such time period, respondent shall not be responsible for complying with the terms of probation of this Consent Order. In the event respondent resumes the practice of medicine, respondent shall provide the Department with thirty (30) days prior written notice. Respondent shall not return to the practice of medicine without written pre-approval from the Department. Respondent agrees that the Department, in its complete discretion, may require additional documentation from respondent and/or require respondent to satisfy other conditions or terms as a condition precedent to respondent's return to practice. Respondent agrees that any return to the practice of medicine without pre-approval from the Department shall constitute a violation of this Consent Order and may subject the respondent to further disciplinary action.
- 10. If, during the period of probation, respondent practices medicine outside Connecticut, he shall provide written notice to the Department concerning such practice. During such time period, respondent shall not be responsible for complying with the terms of probation of this Consent Order, and such time period shall not be counted in reducing the probationary period covered by this Consent Order. Respondent may comply with the terms of probation while practicing outside Connecticut if pre-approved by the Department. In the event respondent intends to return to the practice of medicine in Connecticut, respondent shall provide the Department with thirty (30) days prior written notice and agrees to comply with all terms and conditions contained in paragraph 3 above.

- 11. In the event respondent violates any term of this Consent Order, said violation may also constitute grounds for the Department to seek a summary suspension of his license before the Board.
- 12. Legal notice shall be sufficient if sent to respondent's last known address of record reported to the Practitioner Licensing and Investigations Section of the Healthcare Quality and Safety Branch of the Department.
- 13. This Consent Order is effective on the first day of the month immediately following the date this Consent Order is accepted and ordered by the Board.
- 14. Respondent understands and agrees that this Consent Order shall be deemed a public document, and the Department's allegations as contained in this Consent Order shall be deemed true in any subsequent proceeding before the Board in which his compliance with this Consent Order or with §20-13c of the General Statutes of Connecticut, as amended, is at issue. Further, respondent understands that any discipline imposed by this Consent Order shall be reported to the National Practitioner Data Bank maintained by the United States Department of Health and Human Services, and that all disciplinary actions will appear on HIS physician profile pursuant to Connecticut General Statutes 20-13j.
- 15. In the event respondent violates a term of this Consent Order, respondent agrees immediately to refrain from practicing medicine, upon request by the Department, with notice to the Board, for a period not to exceed 45 days. During that time period, respondent further agrees to cooperate with the Department in its investigation of the violation, and to submit to and complete a medical, psychiatric or psychological evaluation, if requested to do so by the Department; and, that the results of the evaluation shall be submitted directly to the Department. Respondent further agrees that failure to cooperate with the Department

in its investigation during said 45 day period shall constitute grounds for the Department to seek a summary suspension of respondent's license. In any such summary action, respondent stipulates that failure to cooperate with the Department's investigation shall be considered by the Board and shall, as a matter of law, constitute a clear and immediate danger as required pursuant to Connecticut General Statutes, sections 4-182(c) and 19a-17(c). The Department and respondent understand that the Board has complete and final discretion as to whether a summary suspension is ordered.

- 16. Any extension of time or grace period for reporting granted by the Department shall not be a waiver or preclude the Department from taking action at a later time. The Department shall not be required to grant future extensions of time or grace periods.
- 17. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Respondent agrees that this Consent Order shall not be subject to modification as a result of any claim that the terms contained herein may result in action by third parties, including, but not limited to, healthcare facilities and/or credentialing or licensure boards and respondent waives any right to seek reconsideration or modification of this Consent Order pursuant to §4-181a of the General Statutes of Connecticut without the express consent and agreement of the Department. Respondent assumes all responsibility for assessing such actions prior to the execution of this document. Further, this Consent Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any rights that he may have under the laws of the State of Connecticut or of the United States.

- 18. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
- 19. Respondent permits a representative of the Department to present this Consent Order and the factual basis for this Consent Order to the Board. Respondent understands that the Board has complete and final discretion as to whether this executed Consent Order is approved or accepted. Respondent hereby waives any claim of error that could be raised that is related to or arises during the course of the Board's discussions regarding whether to approve or reject this Consent Order and/or a Board member's participation during this process, through the Board / Commission member's review or comments, including but not limited to bias or reliance on evidence outside the administrative record if this matter proceeds to a hearing on a statement of charges resulting in a proposed decision by the Board and/or a panel of the Board and a final decision by the Board.
- 20. Respondent understands and agrees that he is responsible for satisfying all of the terms of this Consent Order during vacations and other periods in which he is away from his residence.
- 21. Respondent has the right to consult with an attorney prior to signing this document.
- 22. The execution of this document has no bearing on any criminal liability without the written consent of the Director of the Medicaid Fraud Control Unit or the State's Attorney's Office where the allegation occurred or Bureau Chief of the applicable unit in the Chief State's Attorney's Office. The purpose of this Consent Order is to resolve the pending administrative license disciplinary petition only, and is not intended to affect any civil or criminal liability or defense.

23. This Consent Order embodies the entire agreement of the parties with respect to this case.

All previous communications or agreements regarding the subject matter of this consent order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof.

I, Thomas Knutson, have read the abov	re Consent Order, and I st	ipulate and agree to the terms as
set forth therein. I further declare the ex	xecution of this Consent	Order to be my free act and deed.
	/_/_	(Mr.
_	Thomas Knutson, N	M.D.
Subscribed and sworn to before me this	s/5 <sup>1</sup> / <sub>2</sub> day of	ecember 2020.
KYLENE ENSRUD	SHOR	
General Notary – State of Nebraska My Commission Expires Feb 21, 2021	Notary Public or pe by law to administe	erson authorized or an oath or affirmation
The above Consent Order having been commissioner of the Department of Pu		ointed agent of the
<u> Dloubou</u> 2020, it i	is hereby accepted.	
		sen, MPH, Section Chief ng and Investigations Section and Safety Branch
The above Consent Order having been p	presented to the duly app	ointed agent of the Connecticut
Medical Examining Board on the	day of	2020, it is
hereby ordered and accepted.		
	Connecticut Medica	I Evamining Roard

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#### BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of

THOMAS J. KNUTSON, M.D.

Holder of License No. 53686
For the Practice of Allopathic Medicine
In the State of Arizona.

Case No. MD-18-0728A

ORDER FOR LETTER OF REPRIMAND AND PROBATION; AND CONSENT TO THE SAME

Thomas J. Knutson, M.D. ("Respondent") elects to permanently waive any right to a hearing and appeal with respect to this Order for Letter of Reprimand and Probation; admits the jurisdiction of the Arizona Medical Board ("Board"); and consents to the entry of this Order by the Board.

#### **FINDINGS OF FACT**

- The Board is the duly constituted authority for the regulation and control of the practice of allopathic medicine in the State of Arizona.
- Respondent is the holder of license number 53686 for the practice of allopathic medicine in the State of Arizona.
- 3. The Board initiated case number MD-18-0728A after receiving a complaint regarding Respondent's care and treatment of a 26 year-old male patient ("RJ") alleging that Respondent falsely documented that he personally evaluated a patient when he did not
- 4. On April 10, 2018 RJ presented to the Hospital Emergency Room ("ER") with complaints of suicidality. ER staff requested that Respondent complete a behavioral health consultation for RJ, who was known to Respondent from prior treatment. Respondent documented and submitted a detailed note including history and mental status examination, with a plan to discharge RJ based on a finding that RJ did not meet the criteria for inpatient hospitalization. However, Respondent did not see the patient, and

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proceeded to see other patients for whom behavioral health consultations had been ordered.

5. During the course of the Board's investigation, Respondent stated that prior to seeing the patient; he created a note and intended to use it as a template. However, he inadvertently saved the note into the Hospital's EMR. Respondent acknowledged using poor judgment in entering a draft consultation report into the record instead of saving it as a draft.

#### **CONCLUSIONS OF LAW**

- The Board possesses jurisdiction over the subject matter hereof and over Respondent.
- b. The conduct and circumstances described above constitute unprofessional conduct pursuant to A.R.S. § 32-1401(27)(e)("Failing or refusing to maintain adequate records on a patient.").
- c. The conduct and circumstances described above constitute unprofessional conduct pursuant to A.R.S. § 32-1401(27)(r)("Committing any conduct or practice that is or might be harmful or dangerous to the health of the patient or the public.").
- d. The conduct and circumstances described above constitute unprofessional conduct pursuant to A.R.S. § 32-1401(27)(u)("Knowingly making any false or fraudulent statement, written or oral, in connection with the practice of medicine or if applying for privileges or renewing an application for privileges at a health care institution.").

#### **ORDER**

#### IT IS HEREBY ORDERED THAT:

- Respondent is issued a Letter of Reprimand.
- Respondent is placed on Probation for a period of six months with the following terms and conditions:

#### a. ProBE

Within six months of the effective date of this Order, Respondent shall complete the Professional/Problem-Based Ethics ("ProBE") program offered by the Center for Personalized Education for Physicians ("CPEP") for Ethics and Boundaries. The CME hours shall be in addition to the hours required for the renewal of licensure. Respondent shall obtain an unconditional or conditionally passing grade.

In the event that Respondent does not receive an unconditional or conditionally passing grade, Respondent shall follow any and all recommendations made for further education and/or remediation, subject to approval by the Board or its staff.

Respondent shall sign any and all consents or releases necessary to allow CPEP to communicate to the Board directly. Respondent shall not revoke any releases prior to successful completion of ProBE. Respondent shall be responsible for the expenses of participation in ProBE and shall notify Board staff immediately upon scheduling the ProBE course.

#### b. Obey All Laws

Respondent shall obey all state, federal and local laws, all rules governing the practice of medicine in Arizona, and remain in full compliance with any court ordered criminal probation, payments and other orders.

#### c. Probation Termination

The Probation shall terminate upon proof of Respondent's unconditional or conditionally passing grade from ProBE. In the event that Respondent does not receive such a grade from ProBE, the Probation shall remain in effect until Respondent has successfully completed any additional education and/or remediation requirements, and may be subject to Board consideration.

 The Board retains jurisdiction and may initiate new action against Respondent based upon any violation of this Order. A.R.S. § 32-1401(27)(s)

DATED AND EFFECTIVE this 8th day of November . 2019.

#### ARIZONA MEDICAL BOARD

By Patricial E. McSorley

#### **CONSENT TO ENTRY OF ORDER**

- Respondent has read and understands this Consent Agreement and the stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Respondent acknowledges he has the right to consult with legal counsel regarding this matter.
- Respondent acknowledges and agrees that this Order is entered into freely and voluntarily and that no promise was made or coercion used to induce such entry.
- 3. By consenting to this Order, Respondent voluntarily relinquishes any rights to a hearing or judicial review in state or federal court on the matters alleged, or to challenge this Order in its entirety as issued by the Board, and waives any other cause of action related thereto or arising from said Order.
- The Order is not effective until approved by the Board and signed by its
   Executive Director.
- 5. All admissions made by Respondent are solely for final disposition of this matter and any subsequent related administrative proceedings or civil litigation involving the Board and Respondent. Therefore, said admissions by Respondent are not intended or made for any other use, such as in the context of another state or federal government.

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THOMAS J. KNUTSON, M.D.

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regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or any other state or federal court.

- Upon signing this agreement, and returning this document (or a copy thereof) 6. to the Board's Executive Director, Respondent may not revoke the consent to the entry of the Order. Respondent may not make any modifications to the document. modifications to this original document are ineffective and void unless mutually approved by the parties.
- 7. This Order is a public record that will be publicly disseminated as a formal disciplinary action of the Board and will be reported to the National Practitioner's Data Bank and on the Board's web site as a disciplinary action.
- If any part of the Order is later declared void or otherwise unenforceable, the 8. remainder of the Order in its entirety shall remain in force and effect.
- 9. If the Board does not adopt this Order, Respondent will not assert as a defense that the Board's consideration of the Order constitutes bias, prejudice, prejudgment or other similar defense.
- 10. Any violation of this Order constitutes unprofessional conduct and may result in disciplinary action. A.R.S. § § 32-1401(27)(s) ("Violating a formal order, probation, consent agreement or stipulation issued or entered into by the board or its executive director under this chapter.") and 32-1451.
  - Respondent has read and understands the conditions of probation. 11.

DATED:	9.	3.19	9
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1	EXECUTED COPY of the foregoing mailed this 8th day of N. Y. Y. Y. Do., 2019 to:
2	
3	Robin Burgess, Esq. Sanders and Parks, P.C.
4	3030 North 3rd Street Suite 1300 Phoenix, Arizona 85012-3099
5	Attorney for Respondent
6	ORIGINAL of the foregoing filed this of day of Nan be, 2019 with:
7	
8	Arizona Medical Board 1740 West Adams, Suite 4000
9	Phoenix, Arizona 85007
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11	Board staff
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# CONNECTICUT MEDICAL EXAMINING BOARD CONSENT ORDER COVER SHEET

Re: Matthew Rogalski, M.D. Petition No.: 2020-137

#### **BIOGRAPHICAL INFORMATION:**

Medical School: Wake Forest University School of Medicine

Year of Graduation: 2005

06/30/2005-06/30/2009	OBGYN	Resident	Tenet-Hahnemann University	
			Hospital (Philadelphia, PA)	
07/01/2009-04/20/2010		Fellowship	Women and Infants Hospital	
			(Providence, RI)	

Current Employment: Landmark Medical Center – Rhode Island (not currently practicing in CT)

License: 050887 Issued: 5/1/2012

Type of Practice: OBGYN

Malpractice History: None known to Department

Past History with DPH: None

Other State License: MA (251925); NC (2012-02347); PA (MT186020); RI (MD13007)

Investigation Commenced: 4/19/2020

#### **CONSENT ORDER:**

Reprimand

#### **DEPARTMENT SUMMARY OF THE CASE:**

- This petition was initiated based on respondent's disclosure on his licensure renewal that his gynecology privileges had been revoked at Sturdy Memorial Hospital in Attleboro, Massachusetts. As a result of the revocation of privileges, the Rhode Island Medical Board issued a Consent Order that included a reprimand, \$1050 civil penalty, and 16 hours of coursework in gynecologic surgery. A copy of the Consent Order is enclosed.
- Respondent's privileges were revoked following a 2017 gynecological procedure in which the patient suffered a complication that was not recognized intra or post-operatively by respondent.
- Subsequent to the Rhode Island Consent Order, the North Carolina Medical Board issued a letter of concern (considered non-disciplinary). A copy of the letter is enclosed.

#### WILL THIS RESULT IN A REPORT TO THE N.P.D.B.?

• Yes.

STATE OF CONNECTICUT DEPARTMENT OF PUBLIC HEALTH HEALTHCARE QUALITY AND SAFETY BRANCH

In re: Matthew Rogalski, M.D.

Petition No. 2020-137

#### CONSENT ORDER

WHEREAS, Matthew Rogalski of Cumberland, RI (hereinafter "respondent") has been issued license number 050887 to practice as a physician and surgeon by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 370 of the General Statutes of Connecticut, as amended; and,

### WHEREAS, the Department alleges:

- 1. On or about January 8, 2020, the Rhode Island Medical Board issued a Consent Order in case number MD-18-0728A that included a reprimand, \$1,050.00 civil penalty, and coursework in gynecologic surgery. Said Consent Order was premised on findings that respondent's gynecology privileges at Sturdy Memorial Hospital in Attleboro Massachusetts had been revoked in 2017 as a result of standard of care issues.
- 2. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §§19a-17(f) and/or 20-13c:

WHEREAS, respondent does not practice medicine in Connecticut.

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above allegations of wrongdoing but, while admitting no guilt or wrongdoing, agrees that for

purposes of this or any future proceedings before the Connecticut Medical Examining Board (hereinafter "the Board"), this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §§19a-10, 19a-14 and 20-13c of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, 19a-17 and 20-13c of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

- 1. Respondent waives his right to a hearing on the merits of this matter.
- Respondent's license number 050887 to practice as a physician and surgeon in the State of Connecticut is hereby reprimanded.
- Respondent shall comply with all state and federal statutes and regulations applicable to his licensure.
- 4. Legal notice shall be sufficient if sent to respondent's last known address of record reported to the Practitioner Licensing and Investigations Section of the Healthcare Quality and Safety Branch of the Department.
- This Consent Order is effective on the first day of the month immediately following the date this Consent Order is accepted and ordered by the Board.
- 6. Respondent understands and agrees that this Consent Order shall be deemed a public document, and the Department's allegations as contained in this Consent Order shall be deemed true in any subsequent proceeding before the Board in which his compliance with this Consent Order or with §20-13c of the General Statutes of Connecticut, as amended, is at issue. Further, respondent understands that any discipline imposed by this Consent Order shall be reported to the National Practitioner Data Bank maintained by the United States

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- Department of Health and Human Services, and that all disciplinary actions will appear on his physician profile pursuant to Connecticut General Statutes 20-13j.
- This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Respondent agrees that this Consent Order shall not be subject to modification as a result of any claim that the terms contained herein may result in action by third parties, including, but not limited to, healthcare facilities and/or credentialing or licensure boards and respondent waives any right to seek reconsideration or modification of this Consent Order pursuant to §4-181a of the General Statutes of Connecticut without the express consent and agreement of the Department. Respondent assumes all responsibility for assessing such actions prior to the execution of this document. Further, this Consent Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any rights that he may have under the laws of the State of Connecticut or of the United States.
- 8. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
- 9. Respondent permits a representative of the Department to present this Consent Order and the factual basis for this Consent Order to the Board. Respondent understands that the Board has complete and final discretion as to whether this executed Consent Order is approved or accepted. Respondent hereby waives any claim of error that could be raised that is related to or arises during the course of the Board's discussions regarding whether to approve or reject this Consent Order and/or a Board member's participation during this

process, through the Board member's review or comments, including but not limited to bias or reliance on evidence outside the administrative record if this matter proceeds to a hearing on a statement of charges resulting in a proposed decision by the Board and/or a panel of the Board and a final decision by the Board.

- 10. Respondent has the right to consult with an attorney prior to signing this document.
- The execution of this document has no bearing on any criminal liability without the written consent of the Director of the Medicaid Fraud Control Unit or the State's Attorney's Office where the allegation occurred or Bureau Chief of the applicable unit in the Chief State's Attorney's Office. The purpose of this Consent Order is to resolve the pending administrative license disciplinary petition only, and is not intended to affect any civil or criminal liability or defense.
- 12. This Consent Order embodies the entire agreement of the parties with respect to this case.

  All previous communications or agreements regarding the subject matter of this consent order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof.

I, Matthew Rogalski, have read the abov	e Consent Order, and l	stipulate and agree to the terms
as set forth therein. I further declare the	execution of this Cons	ent Order to be my free act and
deed.		
	Matthew Rogalski	MD
	Maratow Rogarda	, , , , , , , , , , , , , , , , , , , ,
Subscribed and sworn to before me this		November 2020.
MEGAN DENNEN Notary Public	Mega	Denn
State of Rhode Island I.D. # 765911 My Commission Expires 09/30/2024	Notary Public or properties by law to adminis	person authorized ter an oath or affirmation
The above Consent Order having been p	resented to the duly ap	pointed agent of the
Commissioner of the Department of Pub		
	Christic	ra D. Andresen
	Practitioner Licen	esen, MPH, Section Chief sing and Investigations Section and Safety Branch
The above Consent Order having been properties.	resented to the duly ap	pointed agent of the Connecticut
Medical Examining Board on the	day of	2020, it is
hereby ordered and accepted.		
	Connecticut Medic	cal Examining Board

State of Rhode Island Department of Health Board of Medical Licensure and Discipline



IN THE MATTER OF: Matthew Rogalski, MD License No.: MD 13007 Case No.: C180728

#### CONSENT ORDER

Matthew Rogalski, MD ("Respondent") is licensed as a physician in Rhode Island. The Rhode Island Board of Medical Licensure and Discipline ("Board") makes the following

#### FINDINGS OF FACT

- 1. Respondent has been a licensed physician in Rhode Island since June 10, 2009.
- Respondent graduated from Wake Forest University, Bowman Gray School of Medicine, on May 16, 2005
- Respondent, pursuant to his application for renewal of his Rhode Island license, disclosed
  to the Board that his gynecology privileges at Sturdy Memorial Hospital in Attleboro,
  Massachusetts ("Sturdy") had been revoked in 2017.
- 4. Respondent's gynecology privileges were suspended and subsequently revoked following an April 18, 2017 gynecological procedure performed by Respondent on Patient A (alias). Respondent was the attending physician for Patient A, who underwent a LEEP (Looped Electrosurgical Excision Procedure) to address an abnormal PAP smear. Patient A suffered a complication from the procedure that was not recognized intra-operatively or post-operatively by Respondent. Patient A presented to the emergency department on April 19, 2017, at which point

a perforation of the small bowel was identified and, subsequently, repaired by a general surgeon.

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- At the time of the Patient A's procedure, Respondent had been in compliance with an FPPE
   (Focused Professional Practice Evaluation) unrelated to this type of procedure.
- Effective May 23, 2017, Sturdy revoked Respondent's gynecology privileges based on the April 17, 2017 event and Sturdy's existing concerns relative to Respondent's gynecologic care that had precipitated the FPPE.
- 7. Respondent appeared before the Investigative Committee on November 28, 2018, at which time he and addressed the facts and circumstances of the April 17, 2017 event and the FPPE, which resulted in the revocation of his gynecology privileges, however his obstetrical privileges were not revoked.
- 8. Respondent violated § 5-37-5.1(21), which defines "unprofessional conduct" as including "surrender, revocation, suspension, or any other disciplinary action relating to a membership on any medical staff or in any medical or professional association or society while under disciplinary investigation by any of those authorities or bodies for acts or conduct similar to acts or conduct that would constitute grounds for action as described in this chapter."

### Based on the foregoing, the parties agree as follows:

- Respondent agrees to remain under the jurisdiction of the Board.
- Respondent has agreed to this Consent Order and understands that it is subject to final
  approval of the Board and is not binding on Respondent until final ratification by the Board.
- If ratified by the Board, Respondent hereby acknowledges and waives:
- The right to appear personally or by counsel or both before the Board;
- The right to produce witnesses and evidence on his behalf at a hearing;
- c. The right to cross examine witnesses;

- The right to have subpoenas issued by the Board;
- The right to further procedural steps except for those specifically contained herein;
- Any and all rights of appeal of this Consent Order;
- g. Any objection to the fact that this Consent Order will be presented to the Board for consideration and review; and

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- h. Any objection to the fact that this Consent Order will be reported to the National Practitioner Data Bank and Federation of State Medical Boards and posted to the Rhode Island Department of Health ("RIDOH") public website.
- 4. Respondent agrees to pay, within 5 days of the ratification of this Consent Order, an administrative fee of \$1050.00 for costs associated with investigating the above-referenced complaint. Such payment shall be made by certified check, made payable to "Rhode Island General Treasurer," and sent to Rhode Island Department of Health, 3 Capitol Hill, Room 205, Providence, RI 02908, Attn: Lauren Lasso. Respondent will send notice of compliance with this condition to <a href="mailto:DOH.PRCompliance@health.ri.gov">DOH.PRCompliance@health.ri.gov</a> within 30 days of submitting the above-referenced payment.
- Respondent hereby agrees to this reprimand on his physician license.
- Within six months of ratification of this Consent Order, Respondent will complete greater than 16 hours of Board approved courses in gynecologic surgery.
- 7. If Respondent violates any term of this Consent Order after it is signed and accepted, the Director of RIDOH ("Director") shall have the discretion to impose further disciplinary action, including immediate suspension of Respondent's medical license. If the Director imposes further disciplinary action, Respondent shall be given notice and shall have the right to request an administrative hearing within 20 days of the suspension and/or further discipline. The Director

shall also have the discretion to request an administrative hearing after notice to Respondent of a violation of any term of this Consent Order. The Administrative Hearing Officer may suspend Respondent's license, or impose further discipline, for the remainder of Respondent's licensing period if the alleged violation is proven by a preponderance of evidence.

Signed this 30 day of December, 2019.

Matthew Rogalski, MD

Ratified by the Board of Medical Licensure and Discipline on the 8th day of January, 2020 2019145

N|cole Alexander-Scott, MD, MPH Director Rhode Island Department of Health 3 Capitol Hill, Room 401 Providence, RI 02908



# North Carolina Medical Board

Bryant A. Murphy, MD: President | Venkata Jonnalagadda, MD: President-Elect | John W. Rusher, MD: Secretary/Treasurer

February 18, 2020

#### Via Attorney of Record

Matthew Joseph Rogalski, M.D.

Dear Dr. Rogalski:

The North Carolina Medical Board ("Board") has concluded its investigation related to your care of Patient A. It is the Board's decision not to commence formal proceedings against your license. However, the Board voted to issue you this public letter of concern. The Board does not consider a public letter of concern to be a disciplinary action or a limitation or restriction on your license.

In March 2017, you treated Patient A in your office and recommended a Loop Electrosurgical Excision Procedure ("LEEP") due to Patient A's prior abnormal pap smear. A LEEP is a surgical procedure done to prevent cervical cancer. In April 2017, you performed the LEEP on Patient A vaginally. During the LEEP, you encountered a colpotomy complication, which created an opening in Patient A's vaginal wall. You repaired the colpotomy, converted the procedure to laparoscopy with a single umbilical visual incision site, assessed Patient A's bowel, and noted that there was no injury to any surrounding structure. Patient A was discharged home that day.

Patient A contacted you the evening of her LEEP with complaints of sweating and abdominal pain. You considered the possibility of a bowel injury, but felt Patient A's problem was likely due to uncontrolled post-surgical pain. You advised her to take the full dose of prescribed pain medication and to contact your office if her symptoms did not resolve. The next day, Patient A presented to an emergency department with a complaint of severe generalized abdominal pain. A CT scan revealed fluid and free air in Patient A's abdomen. Patient A was taken to surgery, where a perforation of the small bowel was noted and a small bowel resection was performed.

The Board had your care of Patient A reviewed by an independent medical expert, who had the following concerns:

- 1. The documentation of your care for Patient A was not as detailed as the independent expert would have liked to see, and
- 2. Once the colpotomy was recognized, you should have considered assessing the colpotomy using multiple laparoscopic visualization sites.

The Board urges you to take steps to address these concerns. If comparable concerns were to arise again, the Board might vote to commence formal disciplinary proceedings against your license. If that happens, this letter may be entered into evidence in determining the appropriate discipline.

Matthew Joseph Rogalski, M.D. February 18, 2020 Page 2

This letter is a public record within the meaning of Chapter 132 of the North Carolina General Statutes and is subject to public inspection and dissemination as required by that law. It will be reported to the Federation of State Medical Boards.

Sincerely,

Bryant A. Musphy, M.D. President

BAM/PFB/wl